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October 30, 2024

**BY ECF**

Magistrate Judge Valerie Figueredo  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: Xue Shan Wang v. NYC Dept. of Youth and Community Development,  
City of New York, et al, 21-cv-6271(LGS)(VF)**

Dear Judge Figueredo,

This firm represents Plaintiff Xue Shan Wang (“Plaintiff”) in the above-referenced workplace disability discrimination and retaliation matter. We submit this letter motion to request a discovery conference in accordance with Section II(c)(1) of Your Honor’s Rules and Practices.

As we have informed the Court in the parties’ October 18, 2024 Status Report (ECF No. 107), Plaintiff served a second set of Interrogatories and Request for Production of Documents (collectively “Second Set of Discovery Requests”) upon Defendants on March 25, 2024 relating to additional facts raised in Plaintiff’s Supplemental Complaint. Despite already agreeing for Defendants to respond by June 28, 2024 (or over 3 months), Defendants nevertheless sought another extension to have through and until July 28, 2024 to respond. Even with this latest extension, Defendants chose to, and without any prior notice to Plaintiff, start producing their responses on a rolling basis from July 28, 2024 to August 10, 2024.

Despite the lateness, there were still a number of deficiencies in Defendants’ response to the Second Set of Discovery Requests. Plaintiff sent Defendants a letter of deficiencies on September 23, 2024, a copy of which is attached hereto as Exhibit A. Counsel for Plaintiff (William Li) and Defendants (Bryan C. Olert) had a “meet and confer” Microsoft Teams meeting on October 17, 2024 for about thirty (30) minutes to try to resolve the issues raised in Plaintiff’s letter of deficiencies. During this “meet and confer,” Mr. Olert agreed to provide a response or provide a supplemental response to a number of the items raised in the letter of deficiencies by October 25, 2024. However, Plaintiffs never received Defendants’ supplemental response by October 25, 2024. The undersigned sent an email to Mr. Olert on October 28, 2024 inquiring on the status of Defendants response but has yet to receive any response from Mr. Olert.

Given that we have not received any response from Defendants, Plaintiff can only assume that Defendants are refusing to respond to any of the items raised in Plaintiff’s letter of deficiencies. We note that Defendants have had a history of failing to comply with their discovery obligations in this case, which necessitated the undersigned in spending a meaningful amount of

time in conferring with Defendants, writing to the court and participating in discovery conferences just to get Defendants to comply. (*See* ECF Nos. 52-68)

Based on the foregoing, Plaintiff respectfully request the Court to order Defendants to respond to Plaintiff's letter of deficiencies, costs for the undersigned's time in seeking discovery compliance (which we believe is reasonable in this instance given the history of Defendants' non-compliance and conduct) and any other relief which this Court deems just.

We thank the Court for its continued time and attention to this matter.

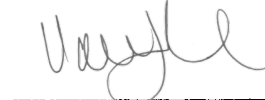
Respectfully Submitted,  
*/s/ William Li*

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William Li

cc: Defendants' Counsel (Via ECF)

**MEMO ENDORSED**



**HON. VALERIE FIGUEREDO  
UNITED STATES MAGISTRATE JUDGE**

Dated: 10/31/24

A telephone conference to discuss the issues raised at ECF No. 109 is scheduled for **Thursday, November 14, 2024 at 3:00 p.m.** Counsel for the parties are directed to call Judge Figueredo's AT&T conference line at the scheduled time. **Please dial (888) 808-6929; access code [9781335].**

Defendants are directed to respond to Plaintiff's letter at ECF No. 109 by **Friday, November 8, 2024.**